

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

ERIC A. SEITZ
ATTORNEY AT LAW
A LAW CORPORATION

JAN 13 2006

at 2 o'clock and 18 min. P.M.
SUE BEITIA, CLERK

ERIC A. SEITZ 1412
LAWRENCE I. KAWASAKI 5820
820 Mililani Street
Suite 714
Honolulu, Hawaii 96813
Telephone No.: (808) 533-7434

LODGED

JAN 09 2006
3:30 PM
CLERK, U. S. DISTRICT COURT
DISTRICT OF HAWAII

Attorneys for Third-Party
Defendant Gary W. Rodrigues

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JEANNE K. ENDO,	)	CIVIL NO. 03-00563 SPK/KSC
)	
Plaintiff,	)	ORDER GRANTING THIRD-PARTY
	)	DEFENDANT GARY W. RODRIGUES'
vs.	)	MOTION TO CONTINUE TRIAL
)	
UNITED PUBLIC WORKERS,	)	HEARING: December 22, 2005
AFSCME LOCAL 646, AFL-	)	9:15 A.M.
CIO,	)	Magistrate Chang
)	
Defendant.)	
	)	Previous Trial Date: Jan.
vs.	)	24, 2006
)	
GARY W. RODRIGUES,)	
	)	New trial Date: May 23,
Third-Party	)	2006
Defendant.)	
)	

ORDER GRANTING THIRD-PARTY DEFENDANT GARY W.
RODRIGUES' MOTION TO CONTINUE TRIAL

Third-Party Defendant Gary W. Rodrigues, having filed
a written motion to continue the trial of the above entitled
matter which had been scheduled to commence on January 24,

SCANNED

2006, before the Honorable Samuel P. King, Senior District Judge; and

The motion to continue trial having come on for a hearing on Thursday, December 22, 2005, at 9:15 A.M., before the Honorable Kevin S.C. Chang, United States Magistrate Judge; and

Attorneys Clayton C. Ikei having appeared in behalf of the Plaintiff, Charles A. Price having appeared for Defendant United Public Worker AFSCME Local 646, AFL-CIO, and Eric A. Seitz having appeared for movant and Third-Party Defendant Gary W. Rodrigues; and;

The Court having considered the written motion and opposition thereto by Plaintiff, the oral arguments of counsel, and the records and files herein; and

Good cause appearing therefor;

The Court finds as follows:

(1) The request for a continuance is not brought in bad faith or for improper purposes;

(2) The requested continuance is only for a short period of time and would not result in undue prejudice or inconvenience to any of the parties;

(3) A prior continuance of the trial was granted at the request of Plaintiff's former counsel; and

(4) On balance, and in the exercise of the Court's discretion, the continuance would serve the purpose of effectuating a fair and just outcome.

IT IS THEREFORE ORDERED as follows:

(1) Third-Party Defendant Gary W. Rodrigues' motion for a continuance of the trial of this case shall be and hereby is granted;

(2) The trial shall be continued from January 24, 2006, to May 23, 2006, before Judge King;

(3) The Court may advance the trial date upon motion of any party for good cause shown;

(4) All deadlines previously closed shall remain closed, and all trial-related deadlines will be reset in a new scheduling order to be issued by the Court; and


(5) The Court will conduct a further status conference on March 22, 2006, at 9:00 A.M.

DATED: Honolulu, Hawaii, _____.

JAN 12 2006


JUDGE OF THE ABOVE ENTITLED COURT

APPROVED AS TO FORM:


CLAYTON C. IKEI
Attorney for Plaintiff
Jeanne K. Endo

JEANNE K. ENDO VS. UNITED PUBLIC WORKERS, ET AL;
CIVIL NO. 03-00563 SPK/KSC; ORDER GRANTING THIRD-
PARTY DEFENDANT GARY W. RODRIGUES' MOTION TO CON-
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PAGE THREE



JAMES E. T. KOSHIBA
CHARLES A. PRICE

Attorneys for Defendant
United Public Workers,
AFSCME Local 646, AFL-CIO

JEANNE K. ENDO VS. UNITED PUBLIC WORKERS, ET AL;
CIVIL NO. 03-00563 SPK/KSC; ORDER GRANTING THIRD-
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TINUE TRIAL

PAGE FOUR